



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

SMC
Docket No: 04461-99
18 November 1999

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: ET1(SS) [REDACTED] USN [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 6Jul99 w/attachments
(2) PERS-311 memo dtd 3Nov99
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by removing the original Commanding Officer, USS ALABAMA (SSBN 731) (BLUE) first endorsement 1610 Ser 037 dated 10 March 1999 on Petitioner's statement dated 4 February 1999 to his performance evaluation for 11 October 1997 to 15 November 1998, and filing in its place the revised endorsement dated 17 June 1999. Copies of the evaluation, Petitioner's statement, and the contested original endorsement are at Tab A. The revised endorsement is in Petitioner's application at enclosure (1).
2. The Board, consisting of Mses. Hardbower and Moidel and Mr. Flood, reviewed Petitioner's allegations of error and injustice on 18 November, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
 - b. In correspondence attached as enclosure (2), the Navy Personnel Command office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that his request has merit and warrants favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing the original Commanding Officer, USS ALABAMA (SSBN 731) (BLUE) first endorsement 1610 Ser 037 dated 10 March 1999 on Petitioner's statement dated 4 February 1999 to his performance evaluation for 11 October 1997 to 15 November 1998, leaving in the record both the evaluation and Petitioner's statement.


b. That the revised endorsement dated 17 June 1999, to be forwarded by this Board, be filed in place of the original endorsement to be removed pursuant to recommendation a above.

c. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

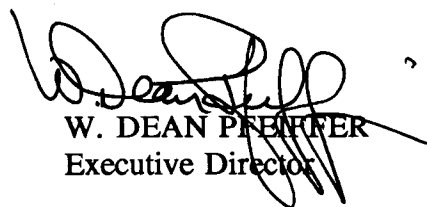
d. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

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MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: PERS/BCNR Coordinator (PERS-00XCB)

Subj: ET1 [REDACTED] USN, [REDACTED]

Encl: (1) BCNR File

1. Enclosure (1) is returned. The member requests removal of the reporting senior's endorsement dated 10 March 1999, replacing it with a revised endorsement.

2. Based on our review of the material provided, we find the following:

a. A review of the member's digitized record revealed the member's statement for the period of 11 October 1997 to 15 November 1998, along with the reporting senior's endorsement dated 10 March 1999 to be on file.

b. The reporting senior submitted a revised endorsement to the member's statement, to remove incorrect information that was included in the original endorsement. PERS-311 has found the reporting senior's revised endorsement to be acceptable for file.

c. The member does prove the original endorsement to be unjust or in error.

3. We recommend removal of the original endorsement, replacing it with the revised endorsement dated 17 June 1999.

[REDACTED]

Head, Performance
Evaluation Branch